

DAWN M. CARDI

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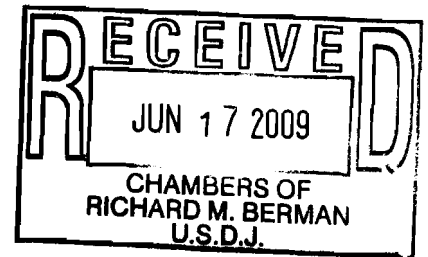
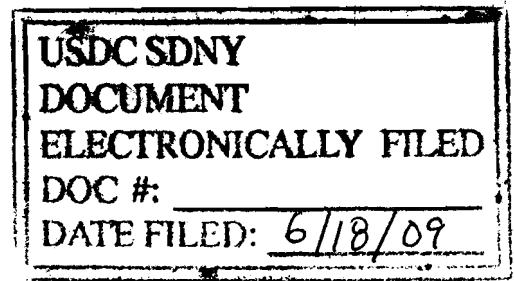
Of Counsel
Robert B. Anesi

MEMO ENDORSED
13-2

June 17, 2009

BY HAND

The Honorable Richard M. Berman
United States District Judge
Southern District of New York
500 Pearl Street, Room 650
New York, New York 10007



Re: United States v. Aafia Siddiqui, 08 Cr. 826 (RMB)

Dear Judge Berman:

We represent defendant Aafia Siddiqui in the above-captioned proceeding. We write this letter to request a one-week adjournment of the deadline for our expert to submit his report. As the Court is aware, according to the governing scheduling order in this proceeding, the current deadline for our expert to submit his report is June 22, 2009. The hearing is currently scheduled for July 6, 2009. In light of our request, we would be willing to adjourn the date of the competency hearing to July 13, 2009 should the government view two weeks as a necessary span of time between receiving our expert's report and preparing for the hearing. We have conferred with the government about our request and they do not consent to it.

The backdrop to our request is the fact that we have one chance for our investigators to perform their investigations in Pakistan and Afghanistan. As we have disclosed to the Court before, we view investigations in both of these countries as crucial both for the trial and the competency hearing. While we have been anxious to send our investigators to perform their work, the quality of that work will depend on their preparedness. The government has sent us thousands of documents at this point. Because of the limitations of funds, we cannot have the investigators perform both a thorough review of these thousands of pages of documents and their investigations. Thus, the work of that careful review, including organizing, synthesizing and digesting the documents, has fallen to us. We have moved as quickly as possible but not as quickly as was necessary to complete the investigations before June 22, 2009, the deadline for our expert's report. We would also note that our investigator's departure for Pakistan has been delayed because of political and military events there. As the Court may well know, Pakistan military forces have been engaging alleged Taliban forces in the Swat Valley. It has been our investigator's experience that attacks against the Taliban usually elicit

Honorable Richard M. Berman

June 17, 2009

p. 2

reprisals that involve targeting urban centers like Karachi. In light of these developments that have occurred over the past few weeks, our investigator has been forced to take special cautions to ensure the safety of the person who is actually traveling to Pakistan. Moving as quickly as we possibly can, we anticipate having results from our investigations as early as the middle of next week and thus in time for possible inclusion in our expert's report should he be able to file it on June 29, 2009.

Bearing in mind that the Court is anxious to proceed to hearing and trial, we would emphasize that we are only requesting a week's extension of the deadline to file our expert's report and would readily consent to a rescheduling of the hearing to July 13, 2009 should the government need an extra week to prepare, assuming that date is convenient to the Court.

We thank the Court for its consideration of this matter.

Respectfully submitted,

DAWN M. CARDI & ASSOCIATES

By:



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cc: David Raskin (by hand)
Christopher LaVigne
Assistant United States Attorneys

Application respectfully denied.

SO ORDERED:

Date: 6/17/09

Richard M. Berman

Richard M. Berman, U.S.D.J.